

REMARKS

Claims 2, 6 and 15-20 are currently pending. Claims 1, 3 and 14 have been canceled herein without prejudice. Applicants have amended claims 2, 6, 15, 16 and 19.

Claims 2 and 6 have been amended to depend from claim 20 which has been allowed. Claim 16 has been amended to incorporate all the limitations of its original base claim 14 which has been indicated by the outstanding Office Action to place it in condition for allowance. Claims 15 and 19 have been amended to depend from claim 16.

Applicants respectfully submit that no substantive changes have been made which would require an additional search. All amendments have been made so that all outstanding claims are directed to allowable subject matter.

The Examiner's Rejections under 35 U.S.C. §102

Claims 14 and 15 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Itaya et al.* (US 5,780,873), and claims 1-6 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Itaya et al.* in view of *Piprek et al.* ("Abrupt self-switching in fused GaAs/InP vertical-cavity lasers", CELO'99, pp. 458) and claim 19 under 35 U.S.C. §103(a) as being unpatentable over *Itaya et al.*

In response, Applicants have amended the claims so as to include subject matter either from claim 20 which is indicated as allowed or claim 16 which is indicated as containing allowable subject matter. Applicants respectfully submit that in light of those amendments, the rejections are no longer relevant.

For at least the foregoing reasons, it is believed that this application is now in condition for allowance. If, for any reason, it is believed that this application is not in condition for allowance, Examiner is encouraged to contact the Applicants' undersigned attorney at the telephone number below to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

By: 

Stephen G. Adrian

Reg. No.: 32,878

Attorney for Applicant

Tel: (202) 822-1100

Fax: (202) 822-1111

Attachments: Petition for Extension of Time w/fee
MJC/SGA/rer